The
REPORTER
For Conscience' Sake

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CALIFORNIA JUDGE INFLICTS MAXIMUM— FIVE YEARS, $10,000

The stiffest possible sentence for refusing induction into the Armed Forces—five years in prison and $10,000 fine—was recently inflicted on both Edward D. Reed and Jack Parkhurst by California Judge Edward P. Murphy.

Reed and Parkhurst are student ministers with Christ's Church of the Golden Rule in San Francisco and refused induction last February on the grounds that they should have received ministerial classification making them exempt. Reed was found guilty by a federal court jury on May 20, and was sentenced on June 3; while Parkhurst was found guilty on June 19, after a three and one-half day trial, and was sentenced on June 30. Morton L. Silvers was defense attorney in both cases, and Joseph Karesh prosecuted.

Selective Service and the courts have held that students at the school for ministers operated by the Church of the Golden Rule are not "satisfactorily pursuing full-time courses of instruction" as required by the law. Their projects provide a combination of academic training and manual labor which is regarded by the church as "the laboratory part of their training." "To us the whole purpose of our training," states one church official, "is to learn to apply the Golden Rule to the problems that confront us in everyday tasks. . . ."

Christ's Church of the Golden Rule was organized in 1944 by a group of individuals who pooled their financial resources and later incorporated as a religious, nonprofit corporation. Several individuals in this group have also registered convictions as conscientious objectors, although this question is left to the individual registrant.

The only other registrant having received the maximum penalty for refusal of induction under the current draft act is James Cox, Jr., a Muslin, who was tried in Detroit in April of 1951.

Questions and Answers on the CO Work Program Which Begins Officially July 1

Many registrants having or anticipating the I-O classification have recently written or phoned regarding their specific situation in regard to the new work program. In an attempt to help these men and their counsellors, as well as for the purpose of giving general information on the work program the question and answer method will be used in the paragraphs below. Giving this information does not necessarily imply endorsement of the procedures by NSBRO or its constituent agencies.

When did the civilian work program actually begin?

Officially the program began on July 1, 1952. On June 18 National Headquarters of Selective Service sent word to state directors and local boards announcing this date of beginning.

How did the program begin?

Actually, three men were given the I-W classification prior to May 31, 1952, by local boards which acted on the strength of the regulations, without waiting for detailed plans from headquarters. As this is written, an unknown number of I-W classifications were issued in June in the same manner. Some of these men are employed by peace-church agencies.

The file of David Rittenhouse of Maryland, given the I-W by his local board, was received by national headquarters the last week in June. This was the first file of a I-W registrant to be received by national headquarters where it will be held, along with those of other men giving their service outside of the country or its territorial limits, for two years. Rittenhouse left for Europe several month ago for a term of service overseas with the Brethren Service Commission.

Another aspect of the beginning of the program was a release sent by headquarters to state directors and local boards on June 19, giving directions for administering the armed forces physical examination to I-O registrants beginning July 1. Again, local boards on their own examined about a thousand I-O registrants prior to July 1. In fact, 775 conscientious objectors were already examined and found acceptable prior to May 31.

In the June 18 communication, each state director was asked to submit to national headquarters the names of agencies and organizations within his state which would employ objectors. As this goes to press, state directors have not yet all sent in their lists. It may still be weeks before any number of men are given work orders. In fact all the forms to be used in connection with the program are not yet completed.

Does the procedure for securing the I-O classification change with the new program?

No, the classification procedure remains exactly the same. Men denied their original claim by a local board can ask for a personal appearance, can make an appeal, may attempt further steps if the appeal is denied, just as heretofore. There are some recent technical changes of the regulations regarding the personal appearance and FBI investigation, but these do not affect the general procedure. These technical changes are described elsewhere.

Must Form 150 be filled in again?

The Special Form for Conscientious Objectors, SSS Form No. 150, does not have to be filed again. Some months ago a few state directors proceeded on their own and asked some I-O registrants to execute and file another Form 150. Spe-

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QUESTIONS AND ANSWERS

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cial word from national headquarters makes this unnecessary. The Form as revised 4-22-52 shall be used and not any previous issues. The June REPORTER describes this new form.

What two general procedures are necessary for a CO to get into a given job?

First, the job must be in a "project" approved by either National or State Headquarters of Selective Service, or both. For example, a CO will not be able to work in a state hospital or a church-sponsored activity unless it is first approved by these directors.

Second, the local board must give the man an order into the given type of work. It is expected that local boards will give a man an order into any work approved by the National or State Director. But it is possible some local boards will not do this since the law states that work shall be "as the local board may deem appropriate." At the same time the whole procedure shall be "subject to such regulations as the President may prescribe." Conceivably some interesting discussions could develop over this point.

The task of a I-O registrant is to convince the local board that the assignment he most desires is "appropriate." Formally, this will be done partly through the process of submission of three choices of work by the registrant, submission to the registrant of three choices by the board if his choices were not satisfactory, monitoring of discussions between the man and the board by the State Director if the preceding steps failed, and review of the situation if all these procedures failed.

What particular SSS Forms will a CO encounter in connection with the work program?

If the I-O registrant wants to volunteer, at some time he will fill in SSS Form No. 151, Application of Volunteer for Civilian Work. There are some cautions on this point inasmuch as the term volunteer means several things. This is discussed in a later paragraph. SSS Form No. 223, Order to Report for Armed Forces Physical Examination, will be received by both volunteers and men who do not volunteer. Form No. 152, Special Notice to I-O Registrants, will be sent to those who pass or waive the physical examination. On it I-O men will indicate their three choices of work, give data regarding their qualifications, indicate if they have contacted any agency for employment, and give other data. Form No. 153, Order to Report for Civilian Work, will be sent to all, volunteers and non-volunteers, as they are about to begin civilian work. (Forms 152 and 153 are still not completed by Selective Service.)

When is a registrant transferred from I-O to I-W?

The I-W classification will be given just after the registrant is given an Order to Report for Civilian Work, at the time he reports on the job.

What does the term "volunteer" mean?

We have discovered confusion in the use of the term "volunteer" among CO groups. There are three meanings to be differentiated by I-O registrants: (1) to volunteer to a church or other public or private nonprofit agency for voluntary service not related to Selective Service; (2) to volunteer for a period of service to some public or private nonprofit agency (including churches) and secure a I-W classification from Selective Service for two years of such work in lieu of military service; and (3) to volunteer with Selective Service for any type of civilian work to which the I-O registrant may be assigned. This third concept is what signing Form 151, Application for Volunteer for Civilian Work, means. There is no assurance of getting the work a registrant desires simply by signing Form 151. To sign this form simply speeds up the process of getting into some civilian work. This is the Selective Servic econcept of "volunteer."

Can a I-O registrant volunteer with a private agency such as a church, be certain he will be assigned to it, and be placed in I-W for two years in lieu of induction?

The registrant can try but the outcome depends upon the wishes of the System in approving the "project" and upon the wishes of the local board in assigning a man to the job. The following steps are suggested: (a) the I-O registrant should contact the agency by which he would like to be employed, for example, BSC, MCC, AFSC, or other public or private nonprofit agency which is or may be approved by Selective Service; (b) this agency should produce a letter, stating that employment arrangements have been made, which the registrant should give, or have sent, to the local board (copies might well be sent to the state director also); (c) the registrant should then seek assurance from the local board, preferably in writing, that he will be given this assignment. When the registrant secures this assurance he should then—and only then if he wants to be certain to get his desired job—sign Form 151.

How can I know, for purposes of volunteering or filling in Form 152, what jobs with what agencies are available?

Lists of all employing agencies, both public and private nonprofit, will be circulated to state directors and local boards. This information will be available, presumably, to registrants from their local boards. The Referral Service of NSBRO, and similar services of other church and peace agencies, will be prepared to advise men of job openings and employing agencies. Men should write to the Referral Service at any time for information.

As this goes to press, no agencies have been approved for employment of regular CO registrants. Some few, including the Indian Service and Veterans Administration, have been approved for special registrants (medical and allied specialists). The list of employing agencies is now being compiled by National Selective Service Headquarters.

Can a I-O registrant file applications with several prospective employers?

Just as when a man ordinarily seeks a job, a I-O registrant can apply with several agencies. Courtesy demands that he keep all informed when he receives a job assurance. Remember, though, clearance with local boards after getting the job is a necessary step. An employing agency may or may not work directly with a local board on behalf of a registrant, depending upon its own policies of operation and desire for employees.

Will private nonprofit agencies, such as the churches, be able to provide employment for all the men who apply to them?

The answer is probably no. It seems certain that present employment opportunities with church agencies will not be sufficient for all those who apply with these agencies. Hence some of the agen-

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Veterans Administration and Indian Service Will Employ Doctors

Selective Service has just announced that the work program for I-O doctors will begin in the near future. The Veterans Administration and the Indian Service, both federal agencies, will employ qualified doctors. It is possible that some private non-profit agencies will also employ physicians. Selective Service has given approval to the employment of CO doctors by these several private non-profit agencies.

All I-O doctors in the categories subject to call, according to the priorities established by the doctors draft law, have been contacted by National Selective Service headquarters regarding their liability.

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cies will operate referral services to find jobs for their applicants elsewhere. Time will tell if any of them will expand their operations so as to develop more job opportunities for COs.

If a I-O registrant does not want to volunteer, what should he do?

He should simply wait until the board calls him for a physical and ultimately for civilian work. He may express his choices after the physical, on Form 152, if he desires.

Will transportation for COs be paid to the place of employment?

Present plans are not to pay the transportation of COs to the places where they will be employed. The best indications are, however, that men who do not have money for transportation will not be prosecuted, but will be placed on a special list for disposition later. The regulations state, however, that "whenever necessary, travel tickets or transportation requests and meal and lodging requests shall be issued to the registrant in the manner prescribed. . . ." Ultimately, we predict, Selective Service will pay travel expenses of many men.

Will there be quotas and calls assigned to states and local boards?

No, not in the sense that quotas and calls are issued for men in the armed forces. Instead, COs will be given work orders as jobs become available. There may be spurts and lags. And the proportion of orders issued may vary from state to state depending upon the number of job openings in a state.

In what order will COs be given job assignments?

Men who volunteer (by signing Form 151) will be ordered into work first. Next will come those nearest 26. From there the work orders will be issued to the next lowest age groups until the total backlog of deferred COs is ordered up. When the age of those being called becomes as low as that of men now being called into the armed forces, the regular order of liability will be followed. Men in I-O will not be given civilian work orders prior to the time they would have been given a notice to report for induction if they were in I-A or I-A-O.

What type of physical examination will be given to COs?

It will be identical to that given men entering the armed forces. The forms and documents accompanying a registrant from the local board to the examining center will be marked with a large three-fourths wide size stamp in red "I-O." The various reports of the examination will also be marked "I-O," including the neuropsychiatric screening report, the report of the medical examination, the report of medical history, the certificate of acceptability, and the usual Defense Department Form 47 which accompanies all registrants to the examination center.

What working conditions will prevail for I-W registrants?

They will be paid at the prevailing rate for a given vocation. For most jobs which seem now to be available, this will apparently be less than the equivalent of an army private's pay. Employing agencies will have power to "hire and fire" as in the case of other employees. If a I-W man is released from his job for any reason Selective Service will be notified. Unless such a release is directly the fault of the I-W man, any idle time between his release and the securing of another job will be regarded as part of the 24 consecutive months of service. After hours and week ends will not be supervised. Vacations will be in terms of the prevailing policy for other employees.

What will be the difference between this program and CPS?

(1) There will be no church administration; (2) no work camps; (3) no supervision of off-hours, furloughs and the like; (4) there will be pay for services rendered.

What types of work will probably be available at the beginning of the program?

The bulk of job openings at the beginning of the program will probably be in mental hospital work. Little manual labor of the type desired by some is in sight at present.

Will priorities be given to agencies to whom COs will be assigned?

The first plan some months ago was to give no priority to any agency for the assignment of COs. However, the plan now is that, when there is reason to select for priority, government work should be given preference over nonprofit organizations, associations, and corporations. In other words, if a man is qualified for openings with both governmental and private nonprofit agencies, he shall be given the government assignment. If there are enough government jobs in all states to accommodate all the COs, there will be no men for private nonprofit agencies. Time again will tell the answer to this.

How will work agencies be selected?

Approval of federal work, and nonprofit agency work outside the United States and territories, will be the responsibility of the National Headquarters with applications for approval to be cleared through the State or National Headquarters and approved by the National Director. State or local governmental or local nonprofit agencies should have their applications cleared through the State Headquarters for the approval of the State Directir. Local nonprofit activities which are part of a national organization for example an AFSC, BSC, MCC unit in a given state) are to be cleared through the State Director and approved by the National Director.

Can I-O men in private nonprofit agency work at the time it is approved be given the I-W and allowed to continue the work?

Yes, arrangements can be made to do this. The outcome depends upon the local board's willingness to give its approval to a given man. However, National Headquarters and State Directors will give their approval.

Will recognition be given for former CPS service?

There is no law or regulation to recognize former CPS service in the present work program. Some consideration may be given to former CPS service through administrative procedures. The lapse of a year since the law was passed makes this a less pressing problem as many men affected are now past 26. But CO doctors, liable until 51, will continue to be affected.

NEW SS REGULATION CHANGES CO APPEAL

In an amendment to SS regulation, Section 1626.25, Selective Service has significantly modified the state appeal procedure for conscientious objectors. This change does not, however, affect eligibility for an appeal.

Formerly when an appeal *involved* a CO claim the state appeal board made an original classification and if this denied the CO claim the case was referred to the Department of Justice for investigation, hearing, and recommendation, after which the appeal board made final determination, considering but not being bound by the Justice Department recommendation.

Under the new appeal procedure issued June 17, Executive Order 10363, an appeal involving a conscientious objector claim may result in one of two general procedures. 1. When the CO claim has been denied by the local board and an appeal is taken, the file is unexceptionally submitted to the Department of Justice, and only after investigation, hearing and recommendation from that Department can the appeal board classify. This means that the appeal board no longer makes classification on only the evidence on which the local board made its determination. This also means that the FBI investigation will play a more direct part in determining the appeal classification. An example of how this procedure will work is the case of a CO registrant who feels that he is entitled to farm deferment as well as I-O classification but has been denied both by the local board and has appealed—an FBI investigation on the CO claim must be made even though the appeal board may ultimately grant farm deferment.

2. When a CO claim has been granted by the local board, but an appeal is taken for a lower, deferred classification, the appeal board makes final classification on the basis of the file sent up by the local board and no FBI investigation is allowed. For example, suppose a registrant has been granted I-O by the local board but feels that he is entitled to IV-D (ministerial classification) and takes an appeal—one of three things can happen: (1) the appeal board can grant the request for IV-D; (2) they can retain him in class I-O; or (3) they can deny both the IV-D and I-O claims. In no event would an FBI investigation be made to help determine eligibility for I-O. As another example, suppose a registrant has been granted I-O by the local board but the local government appeal agent feels that he is not entitled to I-O classification and initiates an appeal. In this event also the appeal board makes final classification on the basis of the file sent up and no FBI investigation is allowed. Whether or not such a case is considered by the Presidential Appeal Board, no FBI investigation will be made. In actual practice it will mean that some CO registrants will be denied CO classification by the appeal board, will have exhausted their administrative remedies, and will be faced with choosing between induction or refusal of induction with a consequent court trial without the benefit of the extended appeal procedure.

One possible advantage to conscientious objectors under the new procedure will be the fact that those cases going to the Department of Justice for recommendation will not bear an earlier adverse decision from the Appeal Board as they did formerly.

Immigration and Nationality Act Will Allow Naturalization of Conscientious Objectors

The McCarran-Walter Immigration and Nationality Conference Report, which became law on June 27 after both the Senate and House passed it over the President's veto, will allow the naturalization of religious conscientious objectors by providing several forms of the oath; the one to be used is determined by the nature of the belief which is recognized.

A naturalization court is to rule on the sincerity of the conscientious-objector alien. Conscientious objection must be based on "religious training and belief." The nature of religious training and belief is defined by use of the highly controversial Supreme Being clause, taken from Section (6) (j) of the 1948 Selective Service Law. Further comments and details will be given in a future issue of the REPORTER.

OUR SYMPATHY

Mr. Edgar J. Miller, the father of Letha Miller, who has worked in the NSB office as a Brethren Volunteer for the past eight months, died suddenly on June 26. Letha has returned to her home in Marshalltown, Iowa. We express our deep sympathy to the Miller family and our appreciation to Letha for the months of service she has given in our office.

MAY 31 REPORT SHOWS 7656 IN I-O AND 3 IN I-W

Following is the breakdown of I-Os and I-Ws by states as of May 31, 1952:

State	I-O Examined and Found Acceptable	I-O Not Examined	I-W
Alabama	14	41	
Arizona	7	21	
Arkansas		38	
California	36	538	
Colorado	8	33	
Connecticut	8	18	
Delaware	8	11	
D. C.	1		
Florida	5	69	
Georgia		38	
Idaho	3	39	
Illinois		276	
Indiana	30	790	
Iowa	47	233	
Kansas	21	505	
Kentucky	8	19	
Louisiana	6	11	
Maine	2	21	
Maryland	2	119	
Massachusetts	13	39	
Michigan		198	
Minnesota	63	43	
Mississippi	2	32	
Missouri	5	141	
Montana	21	58	
Nebraska	21	119	1
Nevada		1	
New Hampshire	2	3	
New Jersey	25	70	
New Mexico	6	5	
New York City	12	4	
N. Y. (Excl. N.Y.C.)	26	97	
North Carolina	15	85	
North Dakota	5	23	
Ohio	66	1124	2
Oklahoma	34	117	
Oregon	5	207	
Pennsylvania	41	940	
Rhode Island	2	1	
South Carolina	11	4	
South Dakota	12	41	
Tennessee	6	46	
Texas	103	46	
Utah			
Vermont		6	
Virginia	28	264	
Washington	3	162	
West Virginia	14	77	
Wisconsin	23	77	
Wyoming	1	3	
Alaska		3	
Canal Zone			
Guam			
Hawaii	2	12	
Puerto Rico	2	13	
Virgin Islands			
U. S. Continental (Total)	771	6853	
U. S. Continental and Territories (Total)	775	6881	

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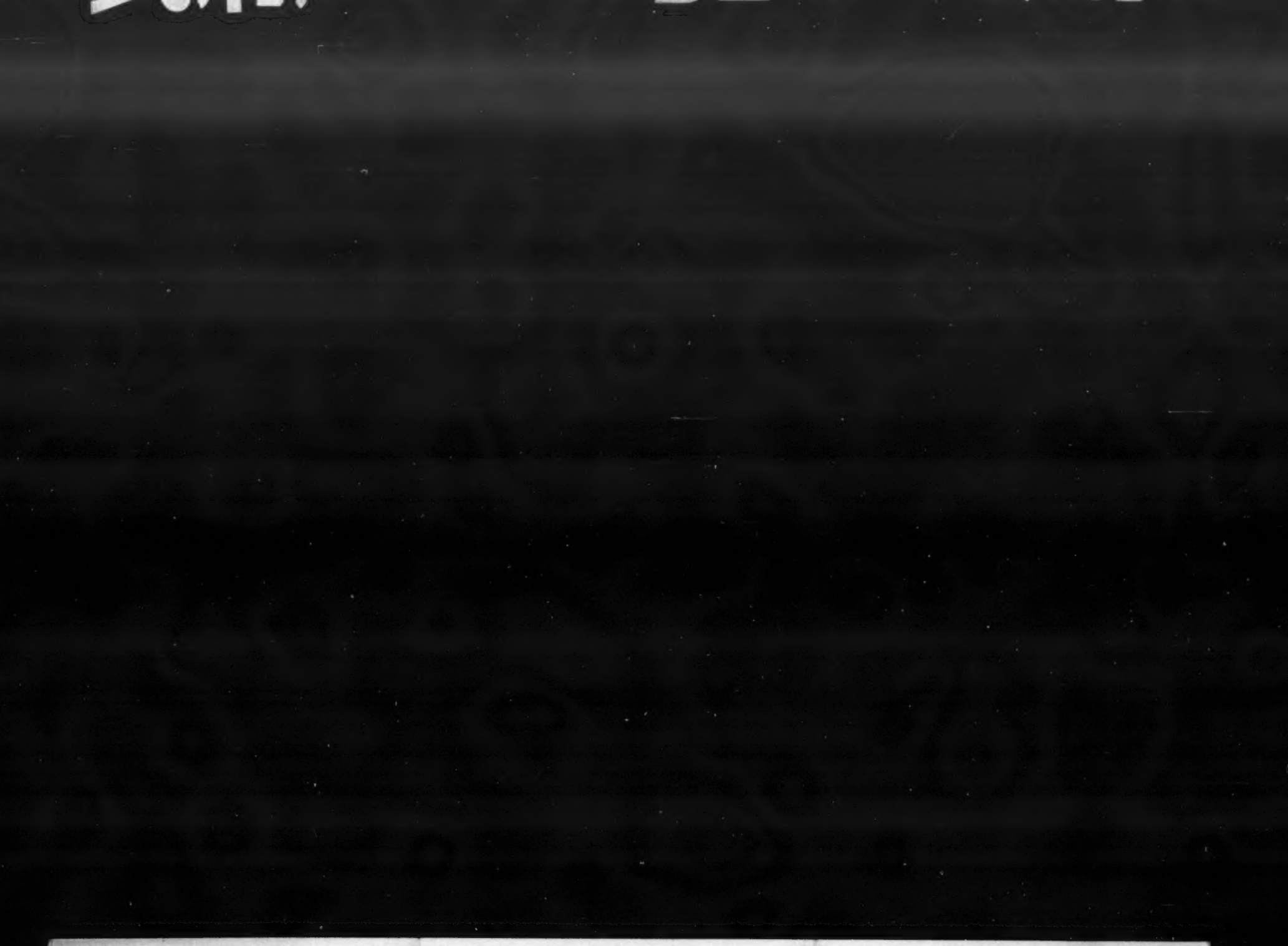
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